

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Connors	Team: Squad #12	CCRB Case #: 201804326	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/17/2018 8:38 AM	Location of Incident: [REDACTED]	Precinct: 88	18 Mo. SOL 11/17/2019	EO SOL 11/17/2019	
Date/Time CV Reported Thu, 05/31/2018 12:02 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 05/31/2018 12:02 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. An officer			088 PCT
2. POM Ali Walker	02673	929329	088 PCT
3. POM Alex Campuzano	11885	960315	088 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Harry Espinal	19236	958556	088 PCT
2. POM Frank Reddington	17943	961153	088 PCT
3. POF Brigitte Villegas	04658	962153	088 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ali Walker	Abuse: Police Officer Ali Walker forcibly removed § 87(2)(b) to the hospital.	[REDACTED]
B.POM Alex Campuzano	Abuse: Police Officer Alex Campuzano forcibly removed § 87(2)(b) to the hospital.	[REDACTED]
C. An officer	Discourtesy: An officer acted discourteously toward § 87(2)(b)	[REDACTED]
§ 87(4-b), § 87(2)(g)	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Case Summary

On May 31, 2018, Donaree § 87(2)(b) filed this complaint with the CCRB via telephone.

On May 17, 2018, at approximately 8:38 a.m., § 87(2)(b) was inside of the laundry room of the § 87(2)(b) shelter located at § 87(2)(b) in Brooklyn. PO Ali Walker, PO Jeffrey Kmiecik, PO Espinal, PO Villegas, PO Campuzano, and PO Reddington of the 88th Precinct responded to a violent Emotionally Disturbed Person (EDP) radio run. The officers assisted FDNY Emergency Medical Technicians (EMT) § 87(2)(b) and § 87(2)(b) in removing § 87(2)(b) to § 87(2)(b) (**Allegation A, Abuse of Authority, § 87(2)(g)**) (**Allegation B, Abuse of Authority, § 87(2)(g)**). When § 87(2)(b) was removed from the shelter, an officer allegedly threw her cell phone charger into a nearby trashcan (**Allegation B, Abuse of Authority, § 87(2)(g)**).

Body-Worn Camera (BWC) videos were obtained. No summonses or arrests resulted from this incident.

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Ali Walker forcibly removed § 87(2)(b) to the hospital.

Allegation B – Abuse of Authority: Police Officer Alex Campuzano forcibly removed § 87(2)(b) to the hospital.

It is undisputed that officers entered § 87(2)(b) to remove § 87(2)(b) from the premises after shelter staff called 911 to report her violent behavior. § 87(2)(b) stated she was handcuffed and was involuntarily transported to § 87(2)(b) in Brooklyn where she was kept for psychiatric observation for three weeks (Board Review 01).

During his CCRB interview, PO Walker stated he and his partner, PO Alex Campuzano, responded to a radio run for a violent EDP at the above location. Upon arrival, shelter staff guided him to a laundry room within § 87(2)(b) where § 87(2)(b) was seated. At the time PO Walker entered, other officers arrived at the location along with EMTs. PO Walker stated § 87(2)(b) told him to leave her alone and refused to speak with the officers or EMTs in the room. When EMTs § 87(2)(b) and § 87(2)(b) arrived with a stretcher for § 87(2)(b) it was determined by the EMTs that she would be transported to a hospital. The officers assisted § 87(2)(b) to her feet and onto a stretcher. She was then escorted by the officers to an ambulance outside and transported to § 87(2)(b) in Brooklyn (Board Review 02).

Sgt. Peter Wu, the patrol supervisor during the tour this incident occurred, stated he had been informed by PO Walker of an Emotionally Disturbed Person (EDP) removal from § 87(2)(b) in Brooklyn. PO Walker informed Sgt. Wu that no further officers were needed at the location (Board Review 03).

During their CCRB interviews, EMTs § 87(2)(b) and § 87(2)(b) stated that they responded to a violent EDP at the above location. EMT § 87(2)(b) testified that when they received the call, their FDNY “CAD” system provided § 87(2)(b)’s known psychiatric history. Based on this

psychiatric history and § 87(2)(b)'s observable behavior, the EMTs determined § 87(2)(b) would be hospitalized for further evaluation (Board Review 04 and 05).

Patrol Guide Procedure 221-13 defines an emotionally disturbed person as a person “who appears to be mentally ill or temporarily deranged and is conducting himself in a manner that a police officer reasonably believes is likely to result in serious injury to himself or others.” The procedure also requires that officers take a civilian who has been determined to be emotionally disturbed into protective custody (Board Review 07).

Patrol Guide Procedure 216-01 states that uniformed members of the service concerned shall cooperative with ambulance/hospital personnel in every reasonable manner (Board Review 06).

§ 87(2)(g), § 87(2)(b)

Allegation C: Discourtesy: An officer acted discourteously toward § 87(2)(b)

While being handcuffed by officers, § 87(2)(b) alleged officers removed her cell phone charger from a nearby wall where it had been plugged in and threw it into a trashcan inside of the laundry room. § 87(2)(b) was unable to describe the officer whom took this action.

PO Walker testified he did not throw out § 87(2)(b)'s cell phone charger and did not observe another officer do so. PO Walker did not remember § 87(2)(b) complain of this action taking place. During their CCRB interviews, neither EMT § 87(2)(b) or § 87(2)(b) observed an officer throw out a cell phone charger that belonged to § 87(2)(b). EMTs § 87(2)(b) and § 87(2)(b) did not remember § 87(2)(b) complain of an officer throwing her cell phone charger in a trashcan.

A review of Body-Worn Cameras (BWC) from this incident did not capture the alleged action by any officer present on scene. Officers can be heard discussing a cell phone, but no cell phone or phone charger is depicted. No officer is depicted throwing § 87(2)(b)'s cell phone charger into a trashcan.

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(2)(g), § 87(4-b), § 87(2)(b)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 08).
- PO Walker has been a member of service for 17 years and has been a subject in three CCRB complaints and three allegations, none of which were substantiated. § 87(2)(g)
- PO Campuzano has been a member of service for three years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- Mediation was offered to § 87(2)(b) who opted to have this complaint investigated § 87(2)(b)
- On February 22, 2019, a request was sent to the New York City Comptroller's Office regarding any Notice of Claim that may have been filed in regard to this complaint. It will be added to the case file upon receipt (Board Review 10).

Squad No.: **12**

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date